

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CANDACE SMITH,)	Case No.: 1:25-cv-0422 JLT BAM
)	
Plaintiff,)	ORDER ADOPTING IN FULL THE FINDINGS
)	AND RECOMMENDATIONS, DISMISSING THE
v.)	ACTION WITHOUT PREJUDICE, AND
)	DIRECTING THE CLERK OF COURT TO CLOSE
FARMERS INSURANCE, et al.,)	THE CASE
)	
Defendants.)	(Doc. 4)
)	

Candace Smith seeks to hold several the defendants—including Farmers Insurance and several individuals—liable for unspecified claims. (*See generally* Doc. 1.) Because Plaintiff is proceeding *in forma pauperis*, the magistrate judge screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915(e)(2). (Doc. 4.)

The magistrate judge observed that Plaintiff indicated the basis of the Court’s jurisdiction was “federal question,” but “Plaintiff does not allege any violation arising under the Constitution, laws, or treaties of the United States upon which relief in this civil action may be premised.” (Doc. 4 at 4.) The magistrate judge noted that “Plaintiff also does not cite or otherwise reference any federal laws to establish federal question jurisdiction.” (*Id.*) To the extent the complaint suggests fraudulent actions may have occurred by the defendants having “friends...commit fraudulent (sic) acts”, the magistrate judge found no basis for federal question jurisdiction. (*Id.*) Moreover, the magistrate judge found Plaintiff’s complaint did not comply with the requirements of Rule 8 of the Federal Rules of Civil

1 Procedure because Plaintiff did not identify “what happened, when and where the events happened, or
2 who was involved.” (*Id.* at 3.) Because Plaintiff has repeatedly been advised of the pleading and
3 jurisdictional requirements and failed to satisfy the pleading obligations, the magistrate judge found
4 leave to amend would be futile. (*Id.* at 4-5.) Therefore, the magistrate judge recommended dismissal
5 without prejudice and without leave to amend. (*Id.* at 5.)

6 The Court served the Findings and Recommendations on Plaintiff and notified her that any
7 objections were due within 21 days. (Doc. 4 at 5.) The Court advised Plaintiff that the “failure to file
8 objections within the specified time may result in the waiver of the ‘right to challenge the magistrate’s
9 factual findings’ on appeal.” (*Id.*, quoting *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir.
10 2014).) Plaintiff did not file objections, and the time to do so has passed.

11 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
12 Having carefully reviewed the entire matter, the Court concludes the Findings and Recommendations
13 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 14 1. The Findings and Recommendations dated April 21, 2025 (Doc. 4) are **ADOPTED** in
15 full.
- 16 2. Plaintiff’s complaint is **DISMISSED** without prejudice for lack of jurisdiction.
- 17 3. Leave to amend is **DENIED** as futile.
- 18 4. The Clerk of Court is directed to close this case.

19
20 IT IS SO ORDERED.

21 Dated: May 8, 2025


UNITED STATES DISTRICT JUDGE